



Appeal Decision

Site visit made on 3 April 2017

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th April 2017

Appeal Ref: APP/D0515/W/16/3162697

Adjacent 8 Eastwood End, Wimblington, March, Cambridgeshire PE15 0QQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Alan Kinninmonth against the decision of Fenland District Council.
 - The application Ref F/YR16/0794/O, dated 5 September 2016, was refused by notice dated 28 October 2016.
 - The development proposed is the erection of one detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form is undated but the Council registered the application on the 5 September 2016. I have taken this date as the date of the planning application. The application is submitted in outline with all matters of detail reserved for future consideration. I have considered the proposal accordingly.

Main Issue

3. The main issue in this appeal is whether the appeal site is a suitable location for a new dwelling with particular reference to local planning policy and the accessibility of services and facilities.

Reasons

4. The nearest settlement to the appeal site is Wimblington, which is identified in Policy LP3 of the Fenland Local Plan 2014 (LP) as a 'Growth Village'. However, the collection of houses along Eastwood End is separated from the edge of Wimblington by the A141 and agricultural fields. As a consequence the appeal site is not part of this settlement or any other. In such circumstances Policy LP3 of the LP restricts development to a number of stated categories. I have no substantive evidence before me that the appeal scheme would fall within any of these categories or that it would be consistent with Policy LP12 of the LP.
 5. The appeal site is located a notable distance from the centre of Wimblington. During my site visit I observed that the centre of the village appeared to be the nearest collection of services to the appeal site. I have not been directed to any others. The appeal site is also located on the eastern side of the busy A141 and there is no pavement linking it to a crossing. As a consequence, there would be strong disincentives for future occupants of the appeal scheme to travel by foot or by bicycle to the village centre and details of bus routes have not been provided.
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6. As such, future occupants of the appeal scheme would be predisposed to use private motorised transport to access everyday services and facilities given the lack of other reasonable travel options. In this respect I share the conclusions of a previous Inspector when dismissing a similar appeal at a site further along Eastwood End¹ that this would be an inherently unsustainable situation. There is nothing before me to suggest I should not afford the findings of the previous Inspector significant weight as a matter weighing against the proposal.
7. I therefore conclude that the appeal scheme would frustrate the Council's spatial strategy for housing and would be poorly connected to everyday services and facilities. These are adverse impacts that amount to harm that would be contrary to Policies LP1, LP3 and LP12 of the LP² and Paragraphs 17, 29, 30 and 55 of the National Planning Policy Framework.

Other Matters

8. Planning permission³ for a dwelling at the appeal site has previously been granted. This planning permission is no longer extant due in part to the appellant's ill-health. As such, the scheme previously approved is incapable of lawful implementation. As a material consideration I can only attach limited weight to this previous approval given the significant changes in circumstances since the decision was made. Of particular note is that the Council have adopted a new local plan, which the appeal scheme would not adhere to. I am required to determine the appeal scheme against the planning policies in place at the time of my assessment. Moreover, the dismissed appeal that I have referred to in the preceding paragraphs also post-dates the previous approval at the appeal site. These are material considerations of considerable force that outweigh the granting of a previous planning permission at the appeal site for a dwelling.
9. The proposal would support housing supply in the area but the contribution would be limited due to the small scale of the proposal. As such, this is not a matter that outweighs the conflict with the development plan and the lack of adequate accessibility to services and facilities. As such, the proposal is not sustainable development.

Conclusion

10. The appeal scheme would be contrary to the development plan taken as a whole and there are not material considerations of sufficient weight that suggest planning permission should be granted in spite of this conflict. Consequently, for the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR

¹ APP/D0515/A/14/2218739 – Land south-west of 32 Eastwood End

² The Council have referred to Policy LP16 in the reason for refusal but this does not appear to be relevant as the Council found no adverse impacts arising from the appeal scheme upon the character and appearance of the area

³ Council reference: F/YR13/0422/F